

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Mylan N.V. Securities Litigation

No. 16-cv-07926 (JPO)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the Third Amended Complaint (Dkt. No. 114), a copy of which is annexed hereto, the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss and the accompanying Declaration of Rory A. Leraris, executed on July 31, 2019, with an exhibit annexed thereto, and all prior pleadings and proceedings herein, Defendants Mylan N.V., Mylan Inc., Heather Bresch, Robert J. Coury, Paul B. Campbell, Rajiv Malik, James Nesta, Kenneth S. Parks and John D. Sheehan hereby move this Court, before the Honorable J. Paul Oetken, United States District Court, Southern District of New York, 40 Foley Square, New York, New York 10007, for an order pursuant to Federal Rule of Civil Procedure 12(b)(6): (i) partially dismissing the Third Amended Complaint as to all defendants to the extent set forth in the Conclusion to the Memorandum of Law; (ii) dismissing the Third Amended Complaint in its entirety as to Defendant Jim Nesta; (iii) partially dismissing the Third Amended Complaint as to Defendants Heather Bresch, Robert J. Coury, Paul B. Campbell, Rajiv Malik, Kenneth S. Parks and John D. Sheehan to the extent set forth in

the Conclusion to the Memorandum of Law; and (iv) granting such other and further relief as the Court deems just and proper.

July 31, 2019

CRAVATH, SWAINE & MOORE LLP,

By



David R. Marriott
Kevin J. Orsini
Rory A. Leraris
Members of the Firm

Worldwide Plaza
825 Eighth Avenue
New York, NY 10019
(212) 474-1000
dmarriott@cravath.com
korsini@cravath.com
rleraris@cravath.com

Attorneys for Defendants

TO ALL COUNSEL OF RECORD